## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	ITED STATES OF AMERICA,	)				
	Plaintiff,	) Case Number 8:12MJ379 )				
	vs.	) ) DETENTION ORDER )				
JO	VANI CONSOSPO PEREZ,	<b>)</b>				
	Defendant.	)				
A.	After the defendant waived a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).					
B.	<ul> <li>Statement Of Reasons For The Detention         The Court orders the defendant's detention because it finds:         X             By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.             X             By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.         </li> </ul>					
C.	The Court's findings are based on the evidence which was presented in court and that which was contained in the Pretrial Services Report, and includes the following:  X (1) Nature and circumstances of the offense charged:  X (a) The crime: Reentry of a Removed Alien is a serious crime and carries a maximum penalty of 2 years imprisonment.  (b) The offense is a crime of violence.  (c) The offense involves a narcotic drug.  (d) The offense involves a large amount of controlled substances, to wit:					
	X (3) The history and character (a) General Factors: The defermay affect The defermation The d	ndant appears to have a mental condition which et whether the defendant will appear. Indant has no family ties in the area. Indant has no steady employment. Indant has no substantial financial resources. Indant is not a long time resident of the				

				The defendant has a history relating to drug abuse.
			Χ	The defendant has a history relating to alcohol abuse.
			X	The defendant has a significant prior criminal record.
			<u>X</u>	The defendant has a prior record of failure to appear at
				court proceedings.
		/I= \	۸ <b></b>	,
		(D)	At the t	ime of the current arrest, the defendant was on:
				Probation
				Parole
				Supervised Release
				Release pending trial, sentence, appeal or completion of
				sentence.
		(c)	Other F	actors:
		( )	Χ	The defendant is an illegal alien and is subject to
				deportation.
				The defendant is a legal alien and will be subject to
				deportation if convicted.
			V	•
			<u>X</u>	The Bureau of Immigration and Customs Enforcement
				(BICE) has placed a detainer with the U.S. Marshal.
				Other:
Χ	(4)	The na	ature an	d seriousness of the danger posed by the defendant's
		releas	e are as	follows:
		Pric	or remov	al in 2008.
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## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 10<sup>th</sup> day of December, 2012.

BY THE COURT:

s/ F. A. Gossett United States Magistrate Judge